

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK JOHNSON a/k/a  
DARRYL JENKINS

v.

MICHAEL NUTTER, et al.

:  
:  
:  
:  
:  
:

CIVIL ACTION

NO. 15-423

ORDER

AND NOW, this 9th day of December, 2016, for the reasons stated in the accompanying Memorandum, it is hereby **ORDERED**:

1. This action is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b).
2. If plaintiff intends to prosecute this action, he may file a motion for reconsideration within twenty-eight days of entry of judgment in accordance with Federal Rule of Civil Procedure 59(e) in which he indicates his intent to proceed with this case and pay the filing fee in installments if he is granted IFP status.

The motion must clearly state:

- (i) That plaintiff wishes Civil Action Number 15-423 to be reopened; and
  - (ii) That plaintiff wishes to proceed *in forma pauperis* and obligate himself to pay the \$350 filing fee in installments. Alternatively, plaintiff may submit \$400 (\$350 filing fee plus \$50 administration fee) to the Clerk of Court along with his motion for reconsideration.
3. The Clerk of Court shall mark this action **CLOSED**.

BY THE COURT:



\_\_\_\_\_  
MITCHELL S. GOLDBERG  
United States District Judge